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PATENT

Attorney Docket No.: Ac 66828-2/DJB/RMS/DCF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TECH CENTER 1500/2900

In re application of:) Examiner: Marschel, A.
CHEE et al.) Group Art Unit: 1631
Serial No. 09/344,526)
Filed: June 24, 1999)
For: DECODING OF ARRAY SENSORS)
WITH MICROSPHERES)
_____)

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Plunkett
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CERTIFICATE OF HAND DELIVERY

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING HAND-
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SIGNATURE: Suzan Lindstrom
Suzan Lindstrom

INFORMATION DISCLOSURE STATEMENT
AND STATEMENT OF RELATEDNESS

Assistant Commissioner
for Patents
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449. References 28-41 were disclosed in a previous Information Disclosure Statement but Examiner Marschel stated in a recent Office Action that he could not locate the references with the priority file, and therefor copies are being sent with this Information

Disclosure Statement. A copy of reference 49 will follow this IDS shortly. Copies of all other references are enclosed.

With respect to patent applications, the applicants point out their duty under M.P.E.P. §2001.06(b) to disclose relevant patent applications of which they are aware. To this end, the applicants draw the Examiner's attention to the following patent applications,

1. U.S.S.N. 09/189,543, filed November 10, 1998 entitled "Decoding of Array Sensors with Microspheres," and U.S.S.N. 60/090, 473, filed June 24, 1998 entitled "Encoding and Decoding Fiber Optic Sensors with Microspheres," upon which the instant application relies on for its priority date.
2. U.S.S.N. 09/287,573, filed April 6, 1999 entitled "Self-Encoding Sensor with Microspheres," which is a continuation of 08/944, 850, filed October 6, 1997 entitled Self-Encoding Fiber Optic Sensor."
3. U.S.S.N. 09/315,584, filed June 20, 1999 entitled "Encoding and Decoding of Array Sensors Utilizing Nanocrystals."
4. U.S.S.N. 09/256,943, filed February 24, 1999 entitled "Composite Array Utilizing Microspheres," which claims priority to U.S S.N. 60/113,968 filed December 28, 1998.
5. U.S.S.N. 09/151,877, filed September 11, 1998, entitled "Target Analyte Sensors Utilizing Microspheres," Which is a divisional of U.S.S.N. 08/818,199, filed March 14, 1997, entitled "Fiber Optic Sensor with Encoded Microspheres."
6. U.S.S.N. 08/851,203, filed May 5, 1997, entitled "Fiber Optic Biosensor for Selectively Detecting Oligonucleotide Species in a Mixed Fluid Sample."

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None of the foregoing references are believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

A check for \$180.00 to cover the required fee is enclosed. The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-66828-2/DJB/RMS/DCF).

An additional copy of this Information Disclosure Statement is enclosed.

Respectfully submitted,

FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT

Dated: June 6, 1999

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